



1762

Patent  
Case No.: 55188US014

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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First Named Inventor: ENGLE, LORI P.  
Application No.: 09/778,475      Group Art Unit: 1762  
Filed: February 7, 2001      Examiner: W. Fletcher III  
Title: INK FIXING MATERIALS AND METHODS OF FIXING INK

**RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents  
Washington, DC 20231

CERTIFICATE OF MAILING  
I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on:

JANUARY 23 2003

Date

Signed by: Kathleen M. Murray

#1  
Jed  
1/30/03

Dear Sir:

This response is to the Office Action mailed January 10, 2003. Claims 1-33 have been restricted under 35 USC § 121 as follows:

- I. Claims 1-21 are said to be drawn to a method of providing a durable image on a substrate, classified in class 427, subclass 258;
- II. Claims 22-26 are said to be drawn to a method of providing a durable image on a substrate, classified in class 427, subclass 258;
- III. Claims 27 and 28 are said to be drawn to an imaged article, classified in class 428, subclass 195;
- IV. Claim 29 is said to be drawn to an imaged article, classified in class 428, subclass 195; and
- V. Claims 30-33 are said to be drawn to a kit for providing a durable image on a substrate, classified in class 101, subclass 103.

Applicants hereby elect Group V, claims 30-33 with traverse. Applicants specifically traverse the restriction requirement between Groups I and III, which groups are classified in the same class.

Applicants submit that the inventions of Groups I and III claims are so interrelated that a search of one group of claims will reveal art to the other. Were restriction to be effected between the claims in Groups I and III, a separate examination of the claims in Groups I and III would

require substantial duplication of work on the part of the U.S. Patent and Trademark Office. Even though some additional consideration would be necessary, the scope of analysis of novelty of all the claims of Groups I and III would have to be as rigorous as when only the claims of Group I were being considered by themselves. Clearly, this duplication of effort would not be warranted where these claims of different categories are so interrelated. Further, the classification of Groups I and III claims in different subclasses is not sufficient grounds to require restriction. Additionally, Applicants submit that for restriction to be effected between the claims in Groups I and III, it would place an undue burden by requiring payment of a separate filing fee for examination of the nonelected claims, as well as the added costs associated with prosecuting two applications and maintaining two patents.

Respectfully submitted,

22 January 2003  
Date

By:

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